



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 02-213)

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#1  
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In the Application of:

Hogg et al.

Serial No.: 10/088,540

Filing Date: March 19, 2002

For: A Substantially Cell Membrane Impermeable  
And Use Thereof Technical Field

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

Confirmation No.: 6943

TRANSMITTAL LETTER

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

- a) Information Disclosure Statement;
- b) PTO Form 1449 and 2 references cited therein; and
- c) return receipt postcard.

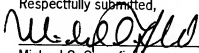
2. With respect to fees:

- a) A fee is not required at this time.
- b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on December 10, 2002.

Respectfully submitted,

Date: December 10, 2002

  
Michael S. Greenfield  
Registration No. 37,142



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(Case No. 02-213)

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INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the cited references are enclosed. These references are also listed on the enclosed PTO Form 1449.

Also, attached to each reference in a language other than English is a translation or an explanation of the relevance in accordance with 37 C.F.R. § 1.98 (a) (3). For Information Disclosure Statements submitted after receipt of a foreign Search Report, a copy of such Search Report is attached.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103. Applicants do not believe any fee is due with this submission. If this belief be in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

With regard to fees, the applicants submitted an IDS with a response to an Office Action less than one week before depositing this Supplemental IDS with the USPS as first class mail. Accordingly, the applicants anticipate that both IDS's will arrive before the Examiner considers their response to the

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, Washington D.C. 20231, on December 10, 2002.

Date: December 10, 2002

  
Michael S. Greenfield

last Office Action. Therefore, from the Patent Office's standpoint, the submission two IDS's within a week of each other is the same as if all the information in both IDS's had been disclosed in a single IDS, for which a single fee is payable. Consequently, the applicants request that the supplemental fee be waived. If this request is refused, the PTO is authorized to charge our deposit account, as indicated in the transmittal letter included in this submission.

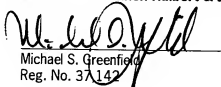
**FOREIGN PATENT DOCUMENTS**

1. PCT Patent No. WO 99/55344, published November 4, 1999.
2. PCT Patent No. WO 98/51297, published November 19, 1998.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

Date: December 10, 2002

By:

  
Michael S. Greenfield  
Reg. No. 37,142

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**McDonnell Boehnen Hulbert & Berghoff**  
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Chicago, IL 60606



<b>FORM PTO-144</b> (Rev. 2-89)	<b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>		<b>Atty. Docket No.</b> 02-213	<b>Serial No.</b> 10/088540
			<b>Applicant:</b> Hogg, et al.	
			<b>Filing Date:</b> March 19, 2002	<b>Group:</b> Not yet assigned

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

**FOREIGN PATENT DOCUMENTS**

Document Number								Date	Country	Class	Subclass	Translation	
												Yes	No
	9	9	5	5	3	4	4	November 4, 1999	PCT				
	9	8	5	1	2	9	7	November 19, 1999	PCT				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.